



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)
PERMITS BY RULE REGISTRATION
FEES FACT SHEET

General Information: The Texas Commission on Environmental Quality (TCEQ) has recently adopted rules establishing a fee for all air quality permits by rule (PBR) registrations. Title 30 Texas Administrative Code § 106.50 (30 TAC § 106.50) requires that any registration received on or after November 1, 2002, must include a fee. This rule was amended as of June 9, 2004.

If the construction of a new facility, or changes to an existing facility, meets the conditions of a PBR which requires registration (Form PI-7 entitled, "Registration for Permit by Rule"), a fee is required in most cases. If the new facility or changes to an existing facility meet the conditions of a PBR that does not require registration, but the owner/operator wishes to have the TCEQ review and confirm the ability to meet the conditions of the PBR, a fee is required. The TCEQ, Air Permits Division, PBR Section will not be able to proceed with processing a registration without a fee.

Fee Requirements: New 30 TAC § 106.50 contains several requirements and exceptions. The new fee requirements do not allow for fee refunds.

There are two cases where facilities registering for a PBR do not have to pay a fee:

1. the registration is solely to establish a federally enforceable emission limit and does not authorize additional construction of new facilities; and
2. the registration is for a remediation project (30 TAC § 106.533).

In all other cases, a fee is required. The amount of the fee varies based on the following:

1. A \$100.00 fee is required if the owner/operator is either:
 - a small business (corporation, partnership, sole proprietorship) which is independently owned and operated, formed for the purpose of making a profit, has fewer than 100 employees, and earns less than 1 million dollars in annual gross receipts;
 - a governmental entity (city, township, school district) with a population less than 10,000; or
 - a non-profit organization.
2. A \$450.00 fee is required for all other registrations.

Submittal of Fees: The fee should be sent separately with a copy of the Form PI-7 to the Financial Division, Revenue Section at Mail Code 214, P.O. Box 13088, Austin, Texas 78711-3088 (or if hand delivery/overnight mail to Mail Code 214, 12100 Park 35 Circle, Building A, Third Floor, Austin, Texas 78753).

To ensure efficient processing of your PBR Registration, please enclose a copy of the check or money order with the registration to, Permits Administrative Review Section (MC 161).

To proceed with a PBR registration, it is important that each registration include a Core Data Form, most current Form PI-7 (including fee questions), all supporting information associated with the facility, and a check or money order for the appropriate fee. You can find additional information, electronic versions of these forms, and instructions through the Air Permits Division, Web site at www.tceq.state.tx.us/permitting/air/nav/air_pbr.html.

Attachments:

- ☐ Form PI-7, "Registration for Permits by Rule"